

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Joyce C. Foster

Respondent

Civil Citation No. 91048

1629 Poles Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 27, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-312 (a): a person may not accumulate boxes, barrels, containers or similar materials on any premises, improved or vacant lot; section 13-4-201: a person shall store all garbage and waste in cans with tight fitting lids; Baltimore County Zoning Regulations (BCZR) section 428: a person shall not have inoperable or untagged vehicles on residential property.

On April 11, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector George Williams issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$6,000.00 (six thousand dollars).

The following persons appeared for the Hearing and testified: Joyce Foster, Respondent, Wanda Johnson, daughter, and George Williams, Baltimore County Code Enforcement Officer.

Testimony was presented that, upon a complaint, an inspection of the property on 4/1/11 revealed an untagged vehicle, trash, debris and trash cans without lids. A Correction Notice was issued. Re-inspection of the property on 4/11/11 revealed no change and a Citation was issued, mailed and posted. A pre-hearing inspection on 4/26/11 showed no change. The Respondent testified that her son and daughter owned the untagged vehicles, that arrangements were being made to remove them, and steps were being taken immediately to bring the property into compliance.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that \$850.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$150.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$850.00 will be imposed if the property is not brought into compliance by May 30, 2011.

IT IS FURTHER ORDERED that the remaining \$850.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 4th day of May 2011

Signed: Original Signed 5/4/11
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.